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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,683	07/30/2003	Eung Tac Kim	0465-1043P	6540
2292 7590 05/23/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER RAO, ANAND SHASHIKANT	
			ART UNIT 2621	PAPER NUMBER
			NOTIFICATION DATE 05/23/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/629,683	<b>Applicant(s)</b> KIM, EUNG TAE	
	<b>Examiner</b> Andy S. Rao	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 2/27/07.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-33 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's arguments filed with respect to claims 1-4 as filed on 3/13/07 have been fully considered but they are not persuasive.
2. The Applicants one substantive argument contending the Examiner's rejection of claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujie et al., (hereinafter referred to as "Fujie"), as was set forth in the Office Action of 11/27/06, said argument being presented in support of the newly added "...wherein the video features comprise header information identifying a picture coding type and a temporal reference of the TS bitstream..." as in the amended claims 1-4. However, after careful consideration of the argument presented, and further scrutiny of the Fujie reference, the Examiner must respectfully disagree, and maintain the applicability of the reference as the basis of the grounds of rejection addressing the amended claims.

After providing Applicant's interpretation of the applied reference (Amendment of 2/27/07: page 12, lines 13-18), the Applicant argues that Fujie fails to read upon "...wherein the video features comprise header information identifying a picture coding type and a temporal reference of the TS bitstream..." as in the claims (Amendment of 2/27/07: page 12, lines 19-21). The Examiner respectfully disagrees. It is noted that Fujie does disclose having header information as a part of the video features (Fujie: column 4, lines 10-23), said header information identifying a picture coding type and a temporal reference of the TS bitstream (Fujie: column 3, lines 60-67: I, B, P coding types with the temporal references being the motion vectors

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associated with the B and P frames). Accordingly, the Examiner maintains that Fujie meets the limitation of the amended claims.

A detailed rejection follows below.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujie et al., (hereinafter referred to as "Fujie").

Fuji discloses PVR-support video decoding system (Fujie: column 1, lines 30-41) comprising: a TS (Transport) decoder for decoding a video PES (Packetized Elementary Stream) from an input TS bitstream to output the decoded video PES (Fujie: column 5, lines 30-36); a video decoder for variable-length-decoding the video PES outputted from the TS decoder, and restoring the video PES to pixel values of an original picture through an IQ (Inverse Quantization) process, an IDCT (Inverse Discrete Cosine Transform) process, and an MC (Motion Compensation) process (Fujie: column 3, lines 55-67; column 4, lines 1-6); and a PVR (Personal Video Recorder) engine for storing the TS bitstream in a storage medium (Fujie: column 1, lines 35-40), extracting video features from the video PES and storing the video feature in the storage medium in the form of meta data (Fujie: column 3, lines 30-45), and supporting a search and playback of the TS bitstream stored in the storage medium wherein the video features comprise header information identifying a picture coding type and a temporal reference of the TS bitstream (Fujie: column 4, lines 11-23), as in claim 1.

Regarding claims 2-3, Fujie discloses and wherein the PVR engine stores the TS bitstream in the storage medium as it is, and extracts the video features from the video PES and stores the video features in the storage medium in the form of meta data (Fujie: column 6, lines 15-40), as in the claim.

Regarding claim 4, Fujie discloses wherein the storage medium is an HDD (Fujie: column 1, lines 30-45), as in the claim.

### ***Conclusion***

5. Claims 20-33 are allowed.

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Independent claim 20 recites "...a first TS (Transport) decoder for selecting one of a plurality of channel signals and a PVR (Personal Video Recorder) input signal outputted from the HDD, decoding a video PES (Packetized Elementary Stream) from a TS (Transport) bitstream of a selected signal, and outputting the decoded video PES; a second TS decoder for selecting one of the plurality of channel signals, decoding the video PES from the TS bitstream of the selected signal, and outputting the decoded video PES along with the TS bitstream; a video decoder for variable-length-decoding the video PES outputted from the first and second TS decoders, and restoring the video PES to pixel values of an original picture through an IQ (Inverse Quantization) process, an IDCT (Inverse Discrete Cosine Transform) process, and an MC (Motion Compensation) process; a video feature extractor for extracting error correction information, header information and macroblock information from the video PES outputted through the second TS decoder, analysis characteristics of a video sequence, and then outputting analyzed information; an index engine for storing the TS bitstream outputted through the second TS decoder and the analyzed information extracted by the video feature extractor in the HDD..." which are features that are not anticipated nor obvious over the art of record..." Dependent claims 21-33 are allowed for the reasons concerning the independent claims.

6. Claims 5-19 are objected to as being dependent upon a rejected base claim, but would be allowable if claim 5 is rewritten in independent form including all of the limitations of the base claim 1.

Dependent claim 5 recites "...wherein the PVR engine comprises: a video feature extractor for extracting error correction information, header information and macroblock information from the video PES outputted through the TS decoder, analysis characteristics of a

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video sequence, and then outputting analyzed information; an index engine for storing the TS bitstream outputted through the TS decoder and the analyzed information extracted by the video feature extractor in the storage medium; and a search engine for searching for and displaying the TS bitstream and the analyzed information stored in the storage medium..." which is a feature that is not anticipated nor obvious over the art of record. Accordingly, if rejected claims 1-4 are canceled, and if claim 5 is amended as indicated above, the application would be placed in a condition for allowance.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao  
Primary Examiner  
Art Unit 2621

asr  
May 14, 2007

